



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V.

Ernesto AMPARO-Ceja,

Defendant(s)

Magistrate Case No.

'08 MJ 1695

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)

Transportation of Illegal

Aliens

The undersigned complainant, being duly sworn, states:

On or about **May 27, 2008**, within the Southern District of California, defendant **Ernesto AMPARO-Ceja** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Luis Miguel MEDINA-Soto, Jose RAMOS-Ceretano**, had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **29th** DAY OF **MAY 2008**

Jan M. Adler

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Luis Miguel MEDINA-Soto, Jose RAMOS-Ceretenno**, are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On May 27, 2008, Senior Patrol Agent B. Desrosiers of the Smuggling Interdiction Group (SIG) contacted Senior Patrol Agent H. Martinez and informed him that a black Mitsubishi Eclipse bearing California license plates had loaded several suspected illegal aliens in San Diego, California. Agent Desrosiers was asking for the North County SIG Agents to be on the look out for this vehicle as it had been last seen on northbound on Interstate 15 just north of Interstate 8. Agent Martinez contacted Supervisory Border Patrol Agent A. Velez of the North County SIG Unit and passed this information. SBPA Velez contacted the Murrieta Border Patrol Station and asked that the checkpoint agents be notified of this information.

At approximately 3:20 p.m., Border Patrol Agent Regalado was stationary between Highway 76 and Mission Road observing traffic with his binoculars in a marked service vehicle. Agent Regalado was able to observe a black vehicle suddenly make an unnecessary lane change as traffic was clear in front of the vehicle. As the vehicle approached, Agent Regalado was in a position to see three individuals in the vehicle. As he was watching, the rear passenger slid down in his seat, the front passenger started looking down at her feet and the driver hide his face with his arm as he drove passed the marked service sedan. Agent Regalado began to follow the vehicle; the vehicle began to accelerate to create distance from the agent. Agent Regalado began to overtake the vehicle and noticed the driver again ducking his head down and holding his arm in a high rigid manner to cover his face. The vehicle license plates match the license plate of the vehicle that Agent Desrosiers had given earlier.

A vehicle stop was attempted on the I-15 northbound near the I-15 checkpoint, the vehicle initially signaled a stop but after a few seconds the vehicle accelerated and swerved back into lanes of traffic. Agent Regalado informed the Murrieta checkpoint that the vehicle had failed to yield. Agent Regalado followed the vehicle until SIG agents were able to respond. SIG Agent N. Gonzalez took over the surveillance of the vehicle after it failed to stop. The vehicle merged to the number four lane as if to exit at the Highway 79 exit; the vehicle merged onto the off-ramp and quickly cut through the dirt divider and drove back onto the freeway in an apparent attempt to loose the agents. Agent Regalado and Gonzalez were able to stay with the vehicle and maintain surveillance, the vehicle continued northbound and exited at the Rancho California off-ramp. Due to the heavy traffic on the off-ramp the vehicle stopped. The agents approached the vehicle and removed all four occupants. The agents identified themselves as Border Patrol Agent and questioned each one about their citizenship and immigration status. All four subjects claimed to be citizens of Mexico having entered illegally into the United States and not in possession of any immigration documents allowing them to be or remain in the United States legally. At approximately 3:25 p.m., all four were arrested and transported the Murrieta Border Patrol Station for processing.



DEFENDANT STATEMENT:

The defendant was advised of his Miranda rights. He stated he understood and was willing to answer questions without having an attorney present. The defendant stated that he is a citizen and national of Mexico and has never been issued any immigration documents allowing him to be or remain in the United States legally.

The defendant stated that he knew what he was doing and that the people who were in the car with him had no immigration documents. The defendant stated that he received the car from a friend of his cousin. The defendant stated that his cousin's name is Jose Luis AMPARO. The defendant stated that he went to San Diego, California to buy a car at an auction, but did not find what he liked. When he wanted to return home his cousin told him to take the Mitsubishi and the people in the car to Los Angeles. The defendant stated that he was not being paid to drive the people to Los Angeles. The defendant stated that when the Patrol Car pulled behind his vehicle and turned on the lights and siren he became frightened and tried to run. The defendant stated that the people had telephone numbers to their families and that he was going to collect the money they owed for being smuggled.

MATERIAL WITNESSES STATEMENTS:

Material witnesses **Luis Miguel MEDINA-Soto and Jose RAMOS-Cereten**o stated that they are citizens and nationals of Mexico and that they entered illegally into the United States. They admitted that they don't have any immigration documents allowing them to be or remain in the United States legally. Smuggling arrangements were made in Tijuana, Baja California, Mexico with an unknown smuggler.

MEDINA-Soto stated that he was going to pay \$3,500.00 USD and was going to San Jose, California. He stated that he was picked up by a black car and then taken to what appeared to be an abandoned house. He also stated that he did not see who put the guy in the trunk of the vehicle. MEDINA-Soto stated that he feared for his life because as the driver ran he thought the vehicle would flip over.

RAMOS-Cereten

o stated that his aunt was going to pay an unknown amount for him to be smuggled. RA